



## ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

Atty **Fry, Robert J. (for George F. Baker – Executor/Petitioner)**

(1) Executor's Final Account and Report, (2) Petition to Approve Attorney Fees and Costs to (3) Authorize Reimbursement of Executor and Close Estate

<b>DOD: 12/12/06</b>		<b>GEORGE BAKER</b> , Executor, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Notice of Hearing to Robert Baker and Michael Keith Russell were sent in care of Carrie Cook, and Notice to Steven Russell was sent to Clint Yarbrough; notice mailed to a person in care of another is insufficient, pursuant to California Rules of Court 7.51(a)(2). 2. No accounting is presented in the Petition. Need Accounting or waivers of accounting from: - Robert Baker - Michael Russell - Steven Russell 3. The Petition does not address the statutory fees to the Executor or attorney. The attorney is requesting \$3,500.00, however there is explanation of this fee. Further, the Executor was previously represented by attorney Kim Herold until 09/11/09. As previous counsel for the Executor, Ms. Herold may be entitled to a portion of the statutory fee, the Petition does not address the previous representation or apportionment of fees. 4. The attorney is requesting to be reimbursed \$2,395.12, but there is no itemization or explanation of those costs. 5. A Creditor's Claim was filed 04/03/07 by FIA Services in the amount of \$1,896.22. No allowance or rejection of creditors claim has been filed. The Petition indicates that there are not sufficient funds to pay this debt and that it will not be paid. An allowance or rejection of creditor's claim should be filed regarding this debt.  Continued on page 2
		Account period: <b>09/11/11 – not specified</b>	
<b>Cont. from</b>		Accounting - <b>No Accounting presented</b>	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Beginning POH - <b>NOT STATED</b> (I & A - \$192,447.72)	
<input checked="" type="checkbox"/>	<b>Verified</b>	POH - <b>\$22,430.87</b> (all cash)	
<input checked="" type="checkbox"/>	<b>Inventory</b>	Executor - <b>statutory fee not addressed</b>	
<input checked="" type="checkbox"/>	<b>PTC</b>	Executor reimbursement - <b>\$11,124.17</b> , plus 1995 Nissan Sentra valued at \$2,200 (as reimbursement for mortgage payments on the real property of the estate)	
<input checked="" type="checkbox"/>	<b>Not.Cred.</b>	Attorney - <b>\$3,500.00</b> (no calculation of the statutory fee provided)	
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>	Costs - <b>\$2,395.12</b> (no itemization provided)	
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	Public Guardian reimbursement - <b>\$5,411.58</b> (for monies advanced for repairs on the real property asset of the estate)	
<input type="checkbox"/>	<b>Aff.Pub.</b>	Petitioner states that after making these disbursements, there will be no assets remaining to pay other claims against the Estate or to make distributions to the Decedent's heirs. Upon making the payments and disbursements set forth above, the Executor asks that the Estate be closed and the Executor be discharged.	
<input type="checkbox"/>	<b>Sp.Ntc.</b>	Petitioner filed his First Account and Status Report on 12/12/06 – 09/10/11. At the hearing for the First Account on 10/20/11, the Court deferred judgment on the First Account to the date of the filing of the final account.	
<input type="checkbox"/>	<b>Pers.Serv.</b>		
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<input type="checkbox"/>	<b>Letters</b>	03/19/07	
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<input type="checkbox"/>	<b>Objections</b>		
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<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>	n/a	
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<input type="checkbox"/>	<b>FTB Notice</b>	n/a	

Continued on Page 2

Reviewed by: JF

Reviewed on: 08/28/13

Updates:

Recommendation:

File 1 – Russell

**Minute Order from hearing on First Account and Status Report on 10/20/11** states: Counsel Joanne Sanoian, as well as the brokers for the sale of real property, are also present. Ms. Sanoian objects and asks that the accounting not be approved. The Court notes that it would interlineate and accept an accounting, not ratify one. Additionally, the Court notes that an unemployed Michael Russell has been living in the house, primarily to have the house insured, but has benefited from living in the house, e.g. PG&E, and thus, his share should be adjusted. Since this matter depends on the close of escrow, this matter is continued to the date of the final accounting, whatever that date may become. Mr. Robert Fry has heard the objections and the stated concerns. Mr. Fry will not appear via Courtcall, but rather in person.

(1) Second Account Current and Report of Successor Conservator and (2) Petition  
for Allowance of Compensation to Successor Conservator and Attorney

<b>Age: 96</b>		<b>PUBLIC GUARDIAN</b> , Conservator of the Estate, is Petitioner.  Account period: 6-18-11 through 6-17-13  Accounting: \$117,023.54 Beginning POH: \$73,881.95 Ending POH: \$3,927.13 (\$1,427.13 cash)  Conservator: \$1,850.56 (6.61 Deputy hours @ \$96/hr and 16 Staff hours @ \$76/hr)  Attorney: \$1,250.00 (less than local rule)  Bond fee: \$88.94 (ok)  <b>Petitioner prays for an order:</b> 1. Approving, allowing and settling the 2 <sup>nd</sup> Account; 2. Authorizing the conservator and attorney fees and commissions; 3. Authorizing payment of the bond fee; and 4. Any other orders the Court considers proper.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Need proof of service of Notice of Hearing at least 15 days prior to the hearing pursuant to Probate Code §§ 2621, 1460(b)(1) on Co-Conservators of the Person Harold Wooten and Wilhelmina Lamar, (Conservatee's son and daughter).  2. Need proof of service of Notice of Hearing <i>with a copy of the petition</i> at least 15 days prior to the hearing pursuant to Probate Code § 1252 on Kelly Porterfield pursuant to Request for Special Notice filed 12-28-10.  3. Need schedule and information re Conservatee's property in Texas per Probate Code §§ 2401.1 and 1063(h).	
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<b>Reviewed by:</b> skc				
<b>Reviewed on:</b> 8-28-13				
<b>Updates:</b>				
<b>Recommendation:</b>				
<b>File 2 – Wooten</b>				

Atty Shekoyan, James E., of Baker Manock &amp; Jensen (for John R. Panzak, Jr., Deceased Executor;

## First and Final Account of Deceased Personal Representative (PC 10953)

<b>DOD: 3/12/2010</b>		<b>JAMES E. SHEKOYAN</b> , legal representative for <b>JOHN R. PANZAK, JR.</b> , Executor appointed on 8/11/2010, is Petitioner.  <b>Account period: 3/12/2010 – 2/15/2013</b> Accounting - <b>\$620,182.86</b> Beginning POH - <b>\$575,843.31</b> Ending POH - <b>\$558,887.37</b> <i>(POH consists of brokerage account and vehicle.)</i>  Executor - <b>not requested</b>  Attorney - <b>not requested</b>  Costs - <b>\$1,765.86</b> <i>(filing fees, publication, certified copies; research by runner; parking fees and travel/mileage to Court)</i>	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Note:</b> Letters of Administration with Will Annexed issued to the Public Administrator on 6/3/2013. Court may set status hearing for the filing of the final account of the successor personal representative on <b>Friday, March 7, 2014, at 9:00 a.m. in Department 303.</b>  1. Petition requests reimbursement of <b>\$9.72</b> for parking expenses and mileage to Court, and <b>\$36.00</b> for research by a runner service, which pursuant to Local Rule 7.17(B)(3), (5) and (7) are not reimbursable costs, such that the total cost reimbursement amount should be <b>\$1,720.14.</b> <b>~Please see additional page~</b>
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**Petitioner states:**

- Most of Decedent's assets were in the **JOHN R. PANZAK LIVING TRUST**, which are not part of the probate estate;
- GORDON PANZAK**, son, filed two litigation matters between himself and the deceased personal representative, **JOHN PANZAK, JR.**, as the Executor of the estate; one of the litigation matters involves the probate estate; the second matter is a civil litigation action filed by Gordon Panzak (Case #11CECG00789) regarding the Decedent's trust and trust assets;
- John Jr. was prepared to commence trial in the civil litigation action, which was scheduled to begin on 12/12/2012; however, on 12/6/2012, Gordon dismissed this case without prejudice, and on the same day, he filed a new civil litigation action (Case #12CECG03842) citing the same causes of action grievances as alleged in the action he just dismissed, such that the new complaint is a copy of the complaint dismissed the same day [Note: Court records show the Case Management Conference in 12CECG03842 was continued to **10/15/2013**, citing the reason "service."]

**~Please see additional page~****Reviewed by:****Reviewed on:****Updates:****Recommendation:****File 3 – Panzak**

Petitioner states, continued:

- The issues in the civil litigation matter are entwined with the issues in the probate estate; as soon as the civil litigation is resolved, John Jr. intended to close the probate estate;
- **SHARON PANZAK**, spouse of John Jr., petitioned this Court to become the successor personal representative citing conflicts of interest in the appointment of Gordon, who also petitioned this Court to be appointed as personal representative;
- On 4/29/2013, the Court appointed the **PUBLIC ADMINISTRATOR** as the successor personal representative of this estate;
- All claims filed with the Court or presented against the estate, consisting of claims by Gordon Panzak filed 12/8/2010 for claims such as rent waste, damage to property, conversion of truck, ½ interest in Santa Cruz real property, and various other items of personal property, totaling **~\$1,582,940.00**, were rejected on 2/28/2011;
- The sole beneficiary of the estate is the **JOHN R. PANZAK LIVING TRUST**; Gordon has received the distributions he was entitled to under the terms of the Trust; the remaining assets of the Trust estate are distributed solely to John R. Panzak, Jr.;
- When John Jr. opened the estate brokerage account, he arranged to have the dividends paid into the account distributed to him monthly (*please refer to Schedule D, Distributions to Beneficiary*); Schedule D shows dividends from pre-August/2010 to 2/15/2013 distributed to John Jr. in the sum of **\$61,168.76**;
- John Jr. was entitled to receive the dividends through the Trust estate; additionally, John Jr. was paying the Decedent's bills and probate administration expenses from these assets;
- **Petitioner requests approval of the monthly distributions to John Panzak, Jr.**

**Petitioner prays for an Order:**

1. Settling, allowing and approving the First and Final Account of the attorney for the deceased personal representative;
2. Confirming and approving all acts and proceedings of the deceased personal representative, including the monthly distributions of the dividends paid to himself totaling **\$61,168.76**; and
3. Authorizing and directing the successor personal representative to pay to Baker Manock & Jensen the sum of **\$1,765.86** for costs advanced to the estate.

**Note:** The devisee of the estate pursuant to Decedent's Will admitted to probate on 8/11/2010 is **JOHN R. PANZAK, JR.**, Trustee of the **JOHN R. PANZAK LIVING TRUST**. *Petition* states the remaining assets of the Trust estate are distributed solely to John R. Panzak, Jr. It appears John R. Panzak, Jr. has received payments of **\$61,168.76** from this Decedent's estate prior to court order approving such payments in contravention of Probate Code §§ 11603(a), 11640, and 11641.

<b>Age: 87</b>		<b>RANDY WOODRUM</b> , Son and Conservator of the Person, is Petitioner and requests appointment as Conservator of the Estate with bond of \$715,356.80.  <b>Estimated value of estate:</b> Personal property: \$555,000.00 (IRA) Annual income: \$92,640.00  <b>Petitioner states</b> the Conservatee suffers from Alzheimers/dementia and has severe short term memory loss. She is incapable of taking care of finances, paying bills or handling any financial matters.  <b>Court Investigator Samantha Henson to file report.</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Need Court Investigator's report.  <u>Note:</u> If granted, the Court will set status hearings as follows: • Friday 11-1-13 for proof of bond • Friday 2-7-14 for filing of I&A • Friday 2-6-15 for filing of first account current  If the appropriate documents have been filed, the status dates may come off calendar.
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		<b>Reviewed by:</b> skc <b>Reviewed on:</b> 8-28-13 <b>Updates:</b> <b>Recommendation:</b> <b>File 4 – Woodrum</b>	

<b>DOD: 10-2-06</b>		<b>JOAN GOUVEIA</b> , Daughter, is Petitioner and requests appointment as Administrator with Will Annexed without bond.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
			<b>1. Need proof of publication per §8120.</b> <b>2. The Court may require bond in the amount of \$350,000.00.</b>  <u>Note:</u> If granted, the Court will set status hearings as follows: <ul style="list-style-type: none"> <li>Friday 11-1-13 for filing of bond, if required</li> <li>Friday 2-7-14 for filing of I&amp;A</li> <li>Friday 2-6-15 for filing of first account or petition for final distribution</li> </ul> If the proper documents are on file prior to the hearings pursuant to local rules, the status hearings may come off calendar.
	<b>Aff.Sub.Wit.</b>	Full IAEA – need publication	
✓	<b>Verified</b>	Holographic Will dated 9-1-55	
	<b>Inventory</b>	(Proof of Holographic Instrument filed)	
	<b>PTC</b>	Residence: Fresno	
	<b>Not.Cred.</b>	Publication: need publication	
N/A	<b>Notice of Hrg</b>	Estimated value of estate:	
	<b>Aff.Mail</b>	Real property: \$350,000.00	
	<b>Aff.Pub.</b>	Probate Referee: Rick Smith	
	<b>Sp.Ntc.</b>		
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✓	<b>Letters</b>		
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✓	<b>Order</b>		
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			<b>Reviewed by:</b> skc
			<b>Reviewed on:</b> 8-28-13
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 6 – Gouveia</b>



**Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)**

<b>DOD: 4-19-13</b>		<b>AKIKO YORIZANE</b> , Sister and named Executor without bond, is Petitioner.  Full IAEA – ok  Will dated 4-15-10  Residence: Selma, CA Publication: Selma Enterprise and Kingsburg Recorder  Estimated Value of Estate: Real property: \$330,000.00  Probate Referee: Steven Diebert	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. #8 of the petition is blank. Need verified declaration listing all persons mentioned in Decedent's will and trust.  <u>Note:</u> It appears that all persons entitled to notice have been served, with Notice of Hearing, but without the list in #8, Examiner is unable to confirm.  <u>Note:</u> If granted, the Court will set status hearings as follows: <ul style="list-style-type: none"> <li>Friday 11-1-13 for filing of bond, if required</li> <li>Friday 2-7-14 for filing of I&amp;A</li> <li>Friday 2-6-15 for filing of first account or petition for final distribution</li> </ul> If the proper documents are on file prior to the hearings pursuant to local rules, the status hearings may come off calendar.	
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<b>Reviewed by:</b> skc
<b>Reviewed on:</b> 8-28-13
<b>Updates:</b>
<b>Recommendation:</b>
<b>File 9 – Yorizane</b>

Pro Per

Buendia, Marie (Pro Per Petitioner, maternal great-grandmother)

## Petition for Termination of Guardianship

<b>Age: 12 years</b>		<p><b>MARIE BUENDIA</b>, maternal great-grandmother and Guardian appointed on 1/4/2006, is Petitioner.</p> <p>Father: <b>MANUEL GARCIA</b>; Declaration of Due Diligence filed 7/3/2013.</p> <p>Mother: <b>JENNIFER BUENDIA</b>; consents and waives notice.</p> <p><b>Ward consents and waives notice.</b></p> <p>Paternal grandfather: Not listed. Paternal grandmother: Not listed. Maternal grandfather: Not listed.</p> <p><b>Petitioner states</b> the child's mother has 3 years of sobriety, she is stable financially, and the child wants to be with his mother. Petitioner states she is 76 years old and she needs time out for herself.</p> <p><b>Declaration filed by Petitioner Marie Buendia on 8/21/2013 states:</b> she and her husband, Eddie Buencia received guardianship of Joseph, their great-grandson on 7/27/2005, since their granddaughter (Jennifer) was not able to care for him because of her history of substance abuse and instability; Jennifer has been clean for almost 4 years, and is doing well; she loves her son and wants him with her; her husband, Co-Guardian Eddie Buendia, passed away 4 years ago on 8/22/2009, and she needs time for herself as it's been 4 years that she hasn't had a vacation and she could use one; Joseph loves his mother and wants to be with her.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Court Investigator Jennifer Young to provide CI Report.</b></p> <p>1. Need Notice of Hearing and proof of 15 days' service by mail of the Notice of Hearing with a copy of the Petition for Termination of Guardianship, or Consent to Termination and Waiver of Notice, or a Declaration of Due Diligence, for:</p> <ul style="list-style-type: none"> <li>• Manuel Garcia, father; if Court does not find due diligence.</li> <li>• Miguel Melendez, Jr., sibling, if age 12 or over;</li> <li>• Eddie Buendia, if age 12 or over;</li> <li>• paternal grandparents;</li> <li>• maternal grandfather.</li> </ul>	
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<b>Reviewed by:</b> LEG
<b>Reviewed on:</b> 8/27/13
<b>Updates:</b>
<b>Recommendation:</b>
<b>File 11 – Buendia</b>